HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CONTEMPT APPEAL NO. 14 OF 2006
IN
CONTEMPT PETITION NO. 157 OF 1994.

Sulaxnadei Sahakari Dudh Utpadak Sanstha. ..Appellant.

Versus.

Assistant Registrar Dairy Solapur and others. ..Respondents.

Mr. Tanaji Mhatugade i/b Mr. A. V. Anturjkar for the appellant.

A. H. Palkar for the respondent no.1.

CORAM: S. B. MHASE &
SMT. NISHITA MHATRE, JJ.

DATE: JANUARY 31, 2007.

P.C.

1. Heard counsel for both sides.

2. It is submitted by Mr. Tanaji Mhatugade, the learned counsel for the appellant that, by order dated 6th January 1994 passed in writ petition No. 3470 of 1993 respondent was directed to decide the question of milk collection by respondent no.2 on merit, pursuant to the notice dated 27.8.1993, ignoring any directions for registration of respondent no.2 society. Learned counsel submitted that these directions have been

flouted by the respondent when the respondent passed order dated 17.5.1994. Learned counsel submitted that in paragraph 2 of the said order there is a reference to the letter dated 21.8.1993. However, what we find is that that reference is only for the purpose that the proposed society is not the 5th society but it is the 6th society, since in the meanwhile one more society has been registered for the village. The directions were considered for the availability of the milk and that has been reflected in the last paragraph and that has been already taken into consideration. Therefore, we find that the learned Single Judge was right in not taking cognizance of the so called allegations of contempt. We do not find any substance in the allegations. The contempt appeal is without any substance, it is hereby rejected in limine.

(SMT. NISHITA MHATRE, J.) **(S.B.MHASE, J.)**

:sachin/2007/nnm/..